

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
JOHN LEE FRANZEN and	:	
KIMBERLY JO FRANZEN,	:	
	:	CASE NO. 17-24493-CMB
DEBTORS,	:	
	:	CHAPTER 13
RONDA J. WINNECOUR, CHAPTER 13	:	
TRUSTEE,	:	DOCUMENT NO. 69
	:	
MOVANT,	:	RELATED TO DOC NO. 66
	:	
VS.	:	
	:	
JOHN LEE FRANZEN and	:	
KIMBERLY JO FRANZEN,	:	
	:	
RESPONDENTS.	:	

RESPONSE TO TRUSTEE'S MOTION TO DISMISS

AND NOW COMES John Lee Franzen and Kimberly Jo Franzen, the Debtors in the above Chapter 13 case, by and through their attorney, Louis Pomerico, and file this Response to Trustee's Motion to Dismiss and in support thereof avers as follows:

1. The Co-Debtor, Kimberly Jo Franzen, has suffered a decrease in her wages. Additionally, the Debtors required a new roof to their home and extensive car repairs, all of which have resulted in the Debtors becoming delinquent with their Chapter 13 Payment Plan.

2. Pursuant to Trustee's Motion to Dismiss, the Debtors' Chapter 13 Plan is in arrears in the amount of \$10,183.00 with a plan payment of \$1,687.00 per month.
3. On April 24, 2021, a payment in the amount of \$3,750.00 was mailed to Trustee Ronda J. Winnecour, a copy of which is attached hereto. On April 26, 2021, another payment in the amount of \$2,250.00 will be mailed to Trustee Winnecour.
4. On May 3, 2021, a third payment of \$2,000.00 will be mailed to Trustee Winnecour.
5. Beginning June 1, 2021, Debtors will cure the balance of the indebtedness by making additional payments of \$313.00 per month for a total plan payment of \$2,000.00 per month until such time as the Debtors become current.

WHEREFORE, Debtors, John Lee Franzen and Kimberly Jo Franzen, respectfully requests the Trustee not to dismiss this case, but allow the Debtors to cure the default without amending the Plan.

Dated: April 26, 2021

/s/ Louis Pomerico, Esquire
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